

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

RICHARD JACKSON,)	
)	
Plaintiff,)	Civil Case No. 05-260-HU
)	
vs.)	ORDER
)	
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

Tim Wilborn
Wilborn & Associates, Inc.
2020-C S.W. Eighth Avenue, PMB #294
West Linn, Oregon 97068

Attorney for Plaintiff

Karin J. Immergut
United States Attorney
District of Oregon
Neil J. Evans
Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, Oregon 97204

Carol A. Hoch
Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
701 Fifth Avenue, Suite 2900 M/S 901
Seattle, Washington 98104

Attorneys for Defendant

KING, Judge:

The Honorable Dennis J. Hubel, United States Magistrate Judge, filed Findings and Recommendation on September 20, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Hubel's Findings and Recommendation (#40). IT IS HEREBY ORDERED that the decision of the Commissioner is REVERSED and REMANDED for calculation and an award of benefits, and as a result the Commissioner's Motion to Remand (#37) seeking remand for additional administrative proceedings is granted in part and denied in part.

Dated this 6th day of October, 2006.

/s/ Garr M. King
Garr M. King
United States District Judge